

REMARKS

Claims 1-16 are pending in the application. Claims 13-16 have been withdrawn from consideration. Support for the amendment to Claim 1 may be found in the specification at page 2, line 32 - page 3, line 2. Claims 6, 12, 14 and 16 have been amended to change the claim dependencies. Support for the amendment to Claim 11 may be found in the specification at page 11, lines 21-31. The specification has been amended to add a Brief Description of the Drawings. No new matter has been added.

Applicants hereby request rejoinder of the method of use and method of making claims 13-16 on allowance of the composition claims 1-11.

Claims 1-10 were rejected under 35 U.S.C. 103(a) as allegedly unpatentable over Seo et al. (WO 01/87345) in view of Cho et al. (WO 2004/022036). Claims 11 and 12 were rejected under 35 U.S.C. 103(a) as allegedly unpatentable over Seo et al. (WO 01/87345) in view of Cho et al. (WO 2004/022036), as applied to claims 1-10, and further in view of Giovanella et al. (US2002/0107260). Applicants respectfully traverse these rejections.

The Examiner bases the Section 103 rejection on the contention that modification of the polymer allegedly taught by Seo to comprise a sulfonic acid group allegedly taught by Cho would enhance "the core's affinity to water-insoluble drugs."

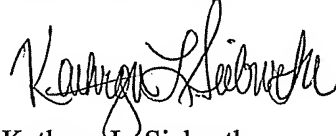
As noted throughout the subject specification, and as now recited in Claim 1, the present invention is directed to polymeric micelle complexes of water soluble bioactive agents (drugs, diagnostic agents, etc.), specifically water soluble, cationic bioactive agents. Accordingly, Applicants respectfully submit that Seo or Cho, whether considered alone, or in combination, fail to render the present invention unpatentable.

In view of the foregoing amendments and remarks, Applicants respectfully submit that the subject application is in condition for allowance. Applicants believe that they have addressed each of the Examiner's concerns and met each of the objections. If the

Appln. No.: 10/596,566  
Group Art Unit No.: 1642

Examiner has any remaining objections or concerns, the Examiner is respectfully requested to contact Applicants' undersigned attorney to resolve such issues and advance the case to issue.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Kathryn L. Sieburth', written in a cursive style.

Kathryn L. Sieburth  
Attorney for Applicants  
Registration No. 40,072

GLAXOSMITHKLINE  
Corporate Intellectual Property - UW2220  
P.O. Box 1539  
King of Prussia, PA 19406-0939  
Phone (610) 270-5012  
Facsimile (610) 270-5090  
N:\kls\cases\pu60627\Response\_1st\_OA\_12\_12\_08.doc